

Notice of Allowability

Application No.

09/894,317

Examiner

Ovidio Escalante

Applicant(s)

LAPIERRE ET AL.

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/20/2004.
2. ☒ The allowed claim(s) is/are 1-3,5,7-17,19-22,24,26-41,43 and 45-59.
3. ☒ The drawings filed on 28 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This action is in response to applicant's amendment filed on August 20, 2004. **Claims 1-3,5,7-17,19-22,24,26-41,43,45-59** are now pending in the present application.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to disclose or render obvious, alone or in combination, claims **1-3,5,7-17,19-22,24,26-41,43,45-59**. The subject claims are directed to a system and method for providing a status certification for a voicemail or a video mail message.

Specifically regarding claims 1,17,20 and 39, the prior art of record does not teach or suggest the feature of in response to detecting an occurrence of a disposition event; creating a disposition identifier and associating said disposition identifier with said first voicemail/video mail message; in response to detecting a triggering event; compiling said disposition identifier and said first voicemail message identifier to create a status notification and storing said status notification in the temporary voicemail box in combination with an asynchronous dialog performed between the calling party, who is a non subscriber to the messaging service having the access identifier and the recipient via the temporary voicemail where one party does not subscriber to the service.

The previously applied prior art of record Speicher discloses of a system and method for providing status notification for a voicemail message. As argued by the Applicants in the response received on August 20, 2004, the prior art of record failed to teach of at least the above limitations in combination with the rest of the limitations of the claims.

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The remaining prior art of record fails to teach the above feature or provide a motivation to add such a feature.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Claims 1-3,5,7-17,19-22,24,26-41,43,45-59 have been renumbered to claims 1,2,4,3,5-12,14,13,15-148,20,19,21-35,37,36,38-52 respectively.

Conclusion

4. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

or faxed to:

(703) 872-9306, (for formal communications intended for entry)

Or:

(703) 872-9306, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to:

220 20th Street S.
Crystal Plaza two, Lobby, Room 1B03
Arlington, VA 22202

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ovidio Escalante whose telephone number is 703-308-6262. The examiner can normally be reached on M-F (6:30AM - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan S Tsang can be reached on 703-305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**OVIDIO ESCALANTE
PATENT EXAMINER**

Ovidio Escalante

Ovidio Escalante
Examiner
Group 2645
October 15, 2004

O.E./oe

**FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800**

Fan Tsang